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## 2005 Decisions

## Opinions of the United States Court of Appeals for the Third Circuit

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12-23-2005

## USA v. Lore

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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Nos. 03-3043, 03-3217, 03-4349, 03-4350

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UNITED STATES OF AMERICA

v.

JOSEPH LORE,

Appellant in No. 03-3043

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UNITED STATES OF AMERICA

v.

DENISE BOHN,

Appellant in No. 03-3217

---

UNITED STATES OF AMERICA

v.

JOSEPH PELLICCIA,

Appellant in No. 03-4349

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UNITED STATES OF AMERICA

v.

WILLIAM HURLEY,

Appellant in No. 03-4350

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Crim. No. 99- cr-00292-4/3/6/5)  
Honorable Mary Little Cooper, District Judge

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Submitted under Third Circuit LAR 34.1(a)  
October 28, 2005

BEFORE: SLOVITER, FISHER, and GREENBERG, Circuit Judges

(Filed: December 2, 2005)

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ORDER AMENDING OPINION

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It is hereby ordered that the last complete sentence in the first complete paragraph on page 30 of the slip opinion in this case is deleted. The sentence deleted reads as follows:

Moreover, notwithstanding the alternative to the loss calculation, the problem of enhancements based upon facts found by the district court by a preponderance of the evidence still remains. See Lore App. at 267-77 (district court imposing enhancement for obstruction of justice based upon a preponderance of the evidence.

By the court,

/s/ Morton I. Greenberg  
Circuit Judge

DATED: December 23, 2005

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